

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,
and THE STATE OF ILLINOIS

Plaintiffs,

v.

The City of East St. Louis, Illinois

Defendant

CIVIL NO. 3:24-cv-2592-DWD

CJRA TRACK: C

TRIAL DATE: June 15, 2026

JUDGE: David W. Dugan

MANDATORY MEDIATION: No

JOINT REPORT OF PARTIES AND
PROPOSED SCHEDULING AND DISCOVERY ORDER

Pursuant to Federal Rule of Civil Procedure 26(f) and SDIL-LR 16.2(a), an initial conference of the parties was held on January 22, 2025 with attorneys from the United States, the State of Illinois, and the City of East St. Louis participating.

SCHEDULING AND DISCOVERY PLANS WERE DISCUSSED AND AGREED TO AS FOLLOWS:

1. Initial disclosures pursuant to Federal Rule of Civil Procedure 26(a) shall be served on opposing parties by February 28, 2025.
2. Motions to amend the pleadings, including the commencement of a third party action, shall be filed by March 14, 2025 (which date shall be no later than **90 days** following the Scheduling and Discovery conference).
3. **Fact Discovery** shall be completed by September 12, 2025 (which date shall be no later than **130 days** before the first day of the month of the trial month or the first day of the month of the trial setting). Any written interrogatories or request for production served after the date of the Scheduling and Discovery Order shall be served by a date that allows the served parties the full **30 days** as provided by the Federal Rules of Civil Procedure in which

to answer or produce by the discovery cut-off date.

4. Expert witnesses shall be disclosed, along with a written report prepared and signed by the witness pursuant to Federal Rule of Civil Procedure 26(a)(2), as follows:
Initial expert(s): October 8, 2025.
Rebuttal expert(s): November 19, 2025.
5. Depositions of expert witnesses must be taken by January 16, 2026.
6. The parties **CERTIFY** that they have discussed, in particular, the proportionality of discovery, the burden and expense associated with discovery, and the discovery of electronically stored information (ESI). The parties ☒ do ☐ do not anticipate a need for an ESI Protocol and Discovery Order. Attached to this Joint Report as Exhibit A is a proposed Joint ESI Protocol and Discovery Order.
7. All **dispositive motions** shall be filed by February 20, 2026 (which date shall be no later than **100 days** before the first day of the month of the trial month or the first day of the month of the trial setting). Dispositive motions filed after this date will not be considered by the Court.
8. The Parties shall submit to the Court a Joint Proposed Final Pretrial Order by May 14, 2026.
9. Final Pretrial Date: June 4, 2026 at 10:00 a.m.
10. Bench Trial Date: June 15, 2026 at 9:00 a.m.
11. The parties should consult Judge Dugan's case management procedures regarding discovery disputes prior to filing any motions concerning discovery.

DATED: February 5, 2025

FOR THE UNITED STATES OF
AMERICA:

s/ Nicholas McDaniel
NICHOLAS McDANIEL
LAUREN MATOSZIUK
Environmental Enforcement Section
United States Department of Justice
P.O. Box 7611
Washington DC 20044-7611
301 Howard Street, Suite 1050
202-514-0096
Nicholas.McDaniel@usdoj.gov
Lauren.Matosziuk@usdoj.gov

FOR THE STATE OF ILLINOIS:

s/ Rachel R. Medina
RACHEL R. MEDINA
CHRISTINA BRIGGS
CAITLIN KELLY
Environmental Bureau
Assistant Attorney General

FOR THE CITY OF EAST ST. LOUIS:

s/ Grey Chatham, Jr.
GREY CHATHAM, JR. -6312518
CHATHAM & BARICEVIC
107 West Main Street
Belleville, IL 62220
PHONE: 618-233-2200
FAX: 618-233-1589
greyjr@chathamlaw.org

s/ David W. Dugan
DAVID W. DUGAN
U.S. District Judge
DATED: February 7, 2025